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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/746,604

12/22/2000

Geoffrey George Sweeney

11938/1

1011

26646 7590 04/26/2007  
KENYON & KENYON LLP  
ONE BROADWAY  
NEW YORK, NY 10004

EXAMINER

CALDWELL, ANDREW T

ART UNIT

PAPER NUMBER

2142

MAIL DATE

DELIVERY MODE

04/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/746,604	SWEENEY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Andrew Caldwell	2142	

All participants (applicant, applicant's representative, PTO personnel):

(1) Andrew Caldwell.

(3) Peter Treloar.

(2) Jason Mueller.

(4) \_\_\_\_\_.

Date of Interview: 25 April 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: Proctor.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



**ANDREW CALDWELL**  
**SUPERVISORY PATENT EXAMINER**

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Prior to the interview, Mr. Mueller presented a draft amendment to claim 1 for purposes of discussion during the interview. See attached. Mr. Mueller argued that while the applicants are considering amendments to the claims in order to advance the prosecution, they do not concede that Proctor does, in fact, teach claim 1 as in the last entered version of the claims. See claims filed 2/27/2006. As to whether claim 1 as presented in the draft amendment would be patentable over Proctor, no agreement was reached. The applicants pointed to various portions of their specification as supporting the draft amendment. The applicants stated that support in the specification could be found, among other places, at page 13 lines 10-28 and at page 17 in the description of steps 840-860. The examiner raised issues regarding the clarity of step (3) in the draft amendment.

**Caldwell, Andrew**

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**From:** Mueller, Jason [JM Mueller@kenyon.com]  
**Sent:** Tuesday, April 24, 2007 1:24 PM  
**To:** Caldwell, Andrew  
**Subject:** 09/746,604 - Telephonic Interview 4/25/07

Examiner Caldwell,

As per our conversation this afternoon, attached is the proposed draft amendment faxed to your offices earlier this morning. The draft amendment is for discussion purposes in the above referenced interview. The following individuals will be attending the interview:

1. Jason Mueller (Reg. No. 58,603)
2. Geoff Sweeney
3. Peter Woollacott; and
4. Peter Treloar.

If you have any questions or would like to discuss any issues in advance of the interview please give me a call.

Warmest regards,

**Jason Mueller**  
**Kenyon & Kenyon LLP**  
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[jmueller@kenyon.com](mailto:jmueller@kenyon.com) | [www.kenyon.com](http://www.kenyon.com)

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4/25/2007

**PROPOSED AMENDMENTS TO THE CLAIMS**  
**FOR APRIL 25, 2007 INTERVIEW**

Inventor(s) : SWEENEY et al.  
Serial No. : 09/746,604  
Filing Date : December 22, 2000  
For : INTEGRATED MONITORING SYSTEM  
Group Art Unit : 2142  
Examiner : Andrew Caldwell

SIR:

For discussion purposes in the April 25, 2007 interview, Applicants propose the following amendment to claim 1:

# DRAFT

1. (Currently Amended) A method for monitoring events generated on at least one computer system, said method comprising the steps of:
  - (a) monitoring a set of event data generated on said at least one system;
  - (b) recording said set of event data in a database;
  - (c) interrogating said database to thereby select alert event data from said set of event data according to a predefined set of rules;
  - (d) reading said alert event data and issuing an appropriate action due to said generated event, said action issued according to said predefined set of rules; and
  - (e) determining said action response based on a weighting assigned to said event, wherein
    - if said weighting exceeds a predetermined threshold, raising an alert;
    - if said weighting is below said predetermined threshold, applying a heuristic to determine if said event is statistically significant in a historical context of previously generated events. ~~upon said predefined set of rules and based upon a weighting factor applied to recorded historical outcomes for monitored events.~~